

ORDINANCE NO. _____

JACKSON TOWNSHIP, CAMBRIA COUNTY

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, CAMBRIA COUNTY,
PENNSYLVANIA, AUTHORIZING INTERGOVERNMENTAL COOPERATION
WITH EAST TAYLOR TOWNSHIP WITH RESPECT TO THE ORDINATION
AND MAINTENANCE OF PUDLINER LANE**

THIS ORDINANCE, ESTABLISHING AN AGREEMENT, pursuant to the Pennsylvania Intergovernmental Cooperation Law, 53 Pa. C. S. § 2303, et seq., is hereby approved and entered as of the date of adoption of the Ordinance by the Township of Jackson, hereinafter "Municipality", and effective five (5) days thereafter.

WHEREAS, the Township of Jackson has agreed to ordain a short section of Pudliner Lane, partly to provide access to a much longer portion of Pudliner Lane in East Taylor Township being ordained by East Taylor Township at the same time; and

WHEREAS, East Taylor Township has indicated that if Jackson Township ordains the portion of Pudliner Lane in Jackson Township, East Taylor Township is willing to assume responsibility for maintenance of the portion of Pudliner Lane in Jackson Township in exchange for the liquid fuels allocations associated with that section of road; and

WHEREAS, the Township of Jackson wishes to cooperate with East Taylor Township for the benefit of the residents of Pudliner Lane in both municipalities.

NOW THEREFORE, BE IT ORDAINED that the Jackson Township Supervisors hereby agree to enter an Intergovernmental Agreement with East Taylor Township which shall provide:

1. The Board of Supervisors of the Township of Jackson having previously complied with the procedures precedent to ordaining a public street set forth in Article XXIII of the Second Class Township Code, hereby agree to ordain the portion of Pudliner Lane located in Jackson Township, as shown on the survey of Plan dated August 2006 and attached hereto as Exhibit "A", from SR 0271 to the East Taylor Township line.

2. The East Taylor Township Supervisors shall assume sole and full responsibility to maintain and keep passable the portion of Pudliner Lane located in Jackson Township, to the same extent as other roads in East Taylor Township.

3. Jackson Township hereby authorizes police enforcement of traffic and road use related laws and ordinances along the portion of Pudliner Lane located in Jackson Township, co-extensive with the jurisdiction of the Jackson Township Police.

4. Jackson Township agrees to pay to East Taylor Township, on an annual basis, within 30 days of Jackson Township's receipt of liquid fuel tax funds from the Commonwealth of Pennsylvania, an amount equal to:

The total liquid fuels tax payment to Jackson Township divided by number of miles of liquid fuels tax on eligible roads in Jackson Township, multiplied by the length of Pudliner Lane in Jackson Township as established by the Pennsylvania Department of Transportation.

5. This Intergovernmental Cooperation is intended to be in effect on a perpetual and indefinite basis, until such time as both municipalities may determine to vacate the road, except that the authorization for police authority in Jackson Township may be revoked at any time by the Jackson Township Supervisors upon adoption of an ordinance withdrawing the authorization.

ADOPTED this 27th day of September, 2007.

Township of Jackson

ATTEST:

By: _____
Chairman

Township Secretary

(Seal)

ORDINANCE NO. _____

EAST TAYLOR TOWNSHIP, CAMBRIA COUNTY

AN ORDINANCE OF THE TOWNSHIP OF EAST TAYLOR, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING INTERGOVERNMENTAL COOPERATION WITH JACKSON TOWNSHIP WITH RESPECT TO THE ORDINATION AND MAINTENANCE OF PUDLINER LANE

THIS ORDINANCE, ESTABLISHING AN AGREEMENT, pursuant to the Pennsylvania Intergovernmental Cooperation Law, 53 Pa. C. S. § 2303, et seq., is hereby approved and entered as of the date of adoption of the Ordinance by the Township of East Taylor, hereinafter "Municipality", and effective five (5) days thereafter.

WHEREAS, the Township of Jackson has agreed to ordain a short section of Pudliner Lane, partly to provide access to a much longer portion of Pudliner Lane in East Taylor Township being ordained by East Taylor Township at the same time; and

WHEREAS, East Taylor Township has indicated that if Jackson Township ordains the portion of Pudliner Lane in Jackson Township, East Taylor Township is willing to assume responsibility for maintenance of the portion of Pudliner Lane in Jackson Township, in exchange for the liquid fuels allocations associated with that section of road; and

WHEREAS, the Township of East Taylor wishes to cooperate with Jackson Township for the benefit of the residents of Pudliner Lane in both municipalities.

NOW THEREFORE, BE IT ORDAINED that the East Taylor Township Supervisors hereby agree to enter an Intergovernmental Agreement with Jackson Township which shall provide:

1. The Board of Supervisors of the Township of Jackson shall ordain the portion of Pudliner Lane located in Jackson Township, as shown on the survey of Plan dated August 2006 and attached hereto as Exhibit "A", from SR 0271 to the East Taylor Township line.

2. The East Taylor Township Supervisors shall assume sole and full responsibility to maintain and keep passable the portion of Pudliner Lane located in

Jackson Township, to the same extent as other roads in East Taylor Township.

3. Jackson Township shall to pay to East Taylor Township, on an annual basis, within 30 days of Jackson Township's receipt of liquid fuel tax funds from the Commonwealth of Pennsylvania, an amount equal to:

The total liquid fuels tax payment to Jackson Township divided by number of miles of liquid fuels tax on eligible roads in Jackson Township, multiplied by the length of Pudliner Lane in Jackson Township as established by the Pennsylvania Department of Transportation.

4. This Intergovernmental Cooperation is intended to be in effect on a perpetual and indefinite basis, until such time as both municipalities may determine to vacate the road, except that the authorization for police authority in Jackson Township may be revoked at any time by the Jackson Township Supervisors upon adoption of an ordinance withdrawing the authorization.

ADOPTED this _____ day of _____, 2007.

Township of East Taylor

ATTEST:

By: _____
Chairman

Township Secretary

(Seal)

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2007, by and between the Township of Jackson and the Township of East Taylor.

WITNESSETH:

WHEREAS, the Township of Jackson has agreed to ordain a short section of Pudliner Lane, partly to provide access to a much longer portion of Pudliner Lane in East Taylor Township being ordained by East Taylor Township at the same time; and

WHEREAS, East Taylor Township has indicated that if Jackson Township ordains the portion of Pudliner Lane in Jackson Township, East Taylor Township is willing to assume responsibility for maintenance of the portion of Pudliner Lane in Jackson Township in exchange for the liquid fuels allocations associated with that section of road; and

WHEREAS, the Act of July 12, 1972, P.L. 762, as amended, 53 P.S. §481, et seq., also known as the Intergovernmental Cooperation Act, permits Municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, the Townships of Jackson and East Taylor wish to cooperate with each other for the benefit of the residents of Pudliner Lane in both municipalities.

NOW, THEREFORE, with the foregoing background incorporated herein by reference and made a part hereof, and in consideration of the mutual promises and obligations set forth herein, and intending to be legally bound hereby, the parties agree as follows:

1. The Board of Supervisors of the Township of Jackson having previously complied with the procedures precedent to ordaining a public street set forth in Article XXIII of the Second Class Township Code, hereby agree to ordain the portion of Pudliner Lane located in Jackson Township, as shown on the survey of Plan dated August 2006 and attached hereto as Exhibit "A", from SR 0271 to the East Taylor Township line, and the East Taylor Township Supervisors shall ordain the portion of Pudliner Lane from the Jackson Township line to its terminus including a cul-de-sac for turning purposes, as shown on the drawing dated _____ and attached hereto as Exhibit "B".

2. The East Taylor Township Supervisors shall assume sole and full responsibility to maintain and keep passable the portion of Pudliner Lane located in Jackson Township, to the same extent as other roads in East Taylor Township.

3. Jackson Township hereby authorizes police enforcement of traffic and road use related laws and ordinances along the portion of Pudliner Lane located in Jackson Township, co-extensive with the jurisdiction of the Jackson Township Police.

4. Jackson Township agrees to pay to East Taylor Township, on an annual basis, within 30 days of Jackson Township's receipt of liquid fuel tax funds from the Commonwealth of Pennsylvania, an amount equal to:

The total liquid fuels tax payment to Jackson Township divided by number of miles of liquid fuels tax on eligible roads in Jackson Township, multiplied by the length of Pudliner Lane in Jackson Township as established by the Pennsylvania Department of Transportation.

5. This Intergovernmental Cooperation is intended to be in effect on a perpetual

and indefinite basis, until such time as both municipalities may determine to vacate the road, except that the authorization for police authority in Jackson Township may be revoked at any time by the Jackson Township Supervisors upon adoption of an ordinance withdrawing the authorization.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

Township of Jackson

ATTEST:

By: _____
Chairman

Township Secretary
(Seal)

Township of East Taylor

ATTEST:

By: _____
Chairman

Township Secretary
(Seal)